

## INJURY TO FISHERIES BY BIRDS.

In 1914 and 1915, Mr. E. P. Walker, Inspector, Alaska Fisheries Service made some inquiries into the destruction of herring by predatory birds, particularly gulls and ducks, and reported that an enormous quantity of herring spawn was destroyed each season by these birds in the vicinity of Craig and Sitka, where large numbers of herring spawn.

As a result of his observations, the Bureau gave careful consideration to the formulation of measures designed to overcome those agencies that are destructive to the herring fishery. In the meantime, a convention was made between the United States and Great Britain for the protection of migratory birds in the United States and Canada. This treaty was signed on August 16, ratified by the Senate August 29, by the President September 1, and by Great Britain October 20; ratifications thereof were exchanged December 7, and it was proclaimed December 8, 1916.

Article I of the treaty designates the migratory birds under three classifications, (1) migratory game birds, (2) migratory insectivorous birds, and (3) other migratory nongame birds, which are the auks, auklets, bitterns, fulmars, gannets, grebes, guillemots, gulls, herons, jaegers, loons, murres, petrels, puffins, shearwaters, and terns.

Article II prescribes close seasons for the three classes of birds. Section 3 refers particularly to those of the third category. It says "The close season on other migratory nongame birds shall continue throughout the year, except that Eskimos and Indians may take at any season auks, auklets, guillem<sup>m</sup>ots, Murres, and puffins, and

their eggs, for good and their skins for clothing, but the birds and eggs so taken shall not be sold or offered for sale."

It thus appears that the gulls and terns which are said to consume large quantities of herring can not be killed lawfully at any time. In view of that protection, now assured by international agreement, the Bureau will not act further in countenancing the destruction of predatory birds unless it is conclusively shown that their depredations are seriously injuring the coastal fisheries. These birds do not ordinarily go far from the coast in any considerable numbers, and therefore cannot be regarded as menacing the salmon fisheries. They are largely surface feeders. Where they are found on salmon streams and in the vicinity of salmon spawning grounds, it will be observed that they are feeding primarily upon dead fish. Occasionally salmon may be attacked while still alive and their eyes picked out, but in all such instances the volume of evidence indicates that the fish were actually dying, and if unspent, that death would likely supervene before the act of spawning was even commenced.

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